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and General Indemnity Company*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARSHA SWANSON, individually,

Plaintiff,

v.

USAA CASUALTY INSURANCE
COMPANY; USAA GENERAL INDEMNITY
COMPANY; DOES I through X; and ROE
CORPORATIONS I through X; inclusive,
Defendant.

Case No. 2:22-cv-00311-RFB-EJY

**STIPULATION AND ORDER
TO EXTEND DISCOVERY
(FOURTH REQUEST BY
STIPULATION)**

USAA Casualty Insurance Company (“USAA CIC”) and USAA General Indemnity Company (“USAA GIC” and together with USAA CIC collectively referred to as “Defendants”), by and through their counsel of record, Spencer Fane LLP, and Marsha Swanson (“Plaintiff”), by and through her counsel of record, Freidman Injury Law, PLLC, hereby stipulate and agree to extend discovery deadlines to accommodate the deposition of Plaintiff’s expert, Mr. Strzelec.

A brief history of the action is below.

1. Defendants were served with a copy of the complaint through the Nevada Division of Insurance on January 26, 2022.

2. Defendants filed their answer on February 25, 2022. ECF 5.

3. The parties filed a joint status report on March 23, 2022. ECF 8.

4. The parties filed a scheduling order on April 12, 2022. ECF 10.

5. Since that time, the parties have diligently pursued discovery. Plaintiff and Defendants have sent each other written discovery, and Defendants have subpoenaed almost 20 of Plaintiff's medical providers.

6. The parties exchanged experts on January 23, 2023.

7. The parties exchanged rebuttal experts on February 21, 2023.

8. Defendants deposed Plaintiff.

9. Defendants deposed Plaintiff's treating doctor, Dr. Khavkin.

10. Plaintiff will depose Defendants' expert, Professor Thomas, on May 18, 2023.

11. Defendants will depose Plaintiff's expert, Mr. Strzelec, on June 8, 2023.

12. The earliest date that the parties could schedule Mr. Strzelec's deposition was June 8, 2023, due to Mr. Strzelec's busy schedule.

13. The parties have agreed to continue the remaining deadlines to allow Defendants the opportunity to depose Mr. Strzelec and conduct any additional discovery based on his deposition testimony, should it become necessary.

14. As relevant to this extension, the scheduling order set the following deadlines:

a. Discovery cutoff: May 22, 2023

b. Initial expert disclosures and interim status report: N/A

c. Rebuttal expert disclosures: N/A

d. Dispositive motions: June 22, 2023

e. Pre-trial order: July 24, 2023

15. Despite diligently pursuing discovery, the Parties request the deadlines set forth in paragraph 11 be extended approximately 30 days as set forth below.

a. Discovery cutoff: **June 22, 2023**

- b. Initial expert disclosures and interim status report: **N/A**
 - c. Rebuttal expert disclosures: **N/A**
 - d. Dispositive motions: **July 24, 2023**
 - e. Pre-trial order: **August 24, 2023**
 - f. Trial readiness: **September or October 2023**
16. This is the parties' fourth request for an extension by stipulation.
17. No parties will be prejudiced by this brief extension.

Dated this 4th day of May, 2023.

FRIEDMAN INJURY LAW

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ORDER

IT IS SO ORDERED.


U.S. Magistrate Judge

Dated: May 4, 2023